Group wants US order vs Imelda, Bongbong enforced

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MANILA, Philippines - The Makati regional trial court was asked yesterday to enforce a US court order for former first lady Imelda Romualdez-Marcos and Sen. Ferdinand Marcos Jr. to pay $353.6 million for contempt.

The decision of the US District Court of Hawaii is a valid foreign judgment enforceable throughout the Philippines, according to the petition of Claimants 1081, a group of martial law human rights victims.

“The present case is a class action seeking to enforce the final and executor judgment on contempt dated Jan. 25, 2011 rendered by the United States District Court of Hawaii… adjudging the above named defendants in contempt for contumacious conduct against the case plaintiffs and awarding the case plaintiffs a compensatory judgment in the sum of $353,600,000,” read the petition.

On Jan. 25, 2011, the US District Court of Hawaii rendered a judgment of contempt against Mrs. Marcos and her son after they violated the preliminary and permanent injunctions for the purpose of preventing the dissipation of the estate of President Ferdinand Marcos while the case was pending before it.

The US Court of Appeals for the Ninth Circuit has upheld a contempt judgment against Ferdinand Jr., his mother and the estate of his father for violating an injunction that barred them from dissipating assets of the estate.

The judgment amounting to $353.6 million is believed to be the largest contempt award ever affirmed by an appellate court.

It may be implemented against any US property owned by Imelda and Ferdinand Jr.

However, human rights victims still need to ask the Philippine government to implement the judgment against the Marcoses’ personal properties in the Philippines.

The $353.6 million would be on top of close to $2 billion awarded to martial law victims in 1995, human rights victims said.

Coco levy fund

Small coconut farmers were asked to keep their guard up despite a Supreme Court (SC) order stopping the privatization of the P73-billion coco levy fund.

“Congress must stop action on all pending bills seeking to privatize the fund,” according to Coco Levy Fund Ibalik sa Amin (CLAIM) national spokesman Nestor Villanueva.

“We will continue to oppose these bills that are intended to deprive and deny small coconut farmers of legitimate claim over the coco levy fund and assets,” he said.

These include Executive Order 179 and copycat bills in Congress, particularly Senate Bill 2675 authored by Sen. Cynthia Villar which is pending in the Senate plenary, and a similar House of Representatives Bill approved by the committee on agriculture last June 10, Villanueva said.

“EO 179 and 180 would diminish small coconut farmers’ legitimate claim, as well as strengthen state control over the funds by declaring that all coco levy funds belong to the government – which reportedly, did not contribute a single cent to the funds,” he said.

In a statement, presidential assistant for food security and agricultural modernization Francis Pangilinan has called on the SC to settle the decades-long legal dispute on the multibillion-peso coco levy funds.

“While we will respect the decision to issue the restraining order, we hope the matter can be resolved with dispatch,” he said. “For nearly four decades the coco levy fund has been entangled in legal disputes and this latest case has prolonged the dispute further,” he said.

“It is most unfortunate that some parties have stubbornly continued to oppose the use of the funds to the detriment of the beneficiaries, the aging coconut farmers.

“The unending legal disputes and the prolonging of the same are part of the problem. With all due respect to the critics, opposing the use of the fund is easy but it represents the old ways of doing things, a thing of the past.”

Pangilinan said EO 179 and 180 were issued to ensure that the “coco levy funds are used judiciously.”

“Using the fund judiciously to ensure our coco farmers finally benefit from the fund after decades of bitter legal entanglements is the way forward,” he said.

“We cannot be suing each other forever and by doing so, the reforms we seek will be further delayed. We need to move forward and getting the fund out of the way of legal disputes is a necessary first step.” – With Rhodina Villanueva, Delon Porcalla